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SUBJECT: CWC: WRAP-UP FOR PREPARATORY MEETINGS AND THE
OPCW EXECUTIVE COUNCIL SESSION, JUNE 24-27, 2008 (EC-53)

REF: STATE 66898

Classified By: Ambassador Eric M. Javits for reasons 1.4 (B) and (D)

This is CWC-31-08

SUMMARY

¶1. (SBU) Under the new leadership of Executive Council Chairperson, Ambassador Oksana Tomova (Slovakia), Executive Council 53 was both efficient and productive. A notable accomplishment was the approval all together of the U.S. and Russian facility agreements, verification plans and amendments for Newport, Pine Bluff, Maradykovsky, and Leonidovka, some of which had been deferred for a full year. The EC also decided on guidelines on transfer discrepancies, after consultations throughout the week that concluded late on June 26. Routine reports that had been deferred by past sessions of the Council and several new reports were mostly noted, with the important exception of the Scientific Advisory Board Report which Iran, once again, insisted on deferring. The Director-General (DG) introduced the Draft Program of Work and Budget for 2009 and papers on the Other Chemical Production Facilities (OCPFs) for further consultation and discussion.

¶2. (U) This cable reports on the visit of ISN DAS Staley on June 26-27, as well as the Ambassador's meeting with the new EC Chairperson, and consultations among delegations on Articles X and XI on June 20. U.S. Del's initial views of the new political dynamics in the Council follow details on Council actions taken.

End Summary.

AMBASSADOR'S MEETING WITH THE NEW EC CHAIR

¶3. (SBU) On Friday, June 20, Amb. Javits and Delrep met with Amb. Oksana Tomova and her staff to provide background information on the U.S. and Russian mutual deferral of destruction documents. Amb. Tomova offered to provide whatever assistance she could in moving the issue forward, and noted the positive impact agreement could have on the perception of the Council's ability to function. In general, Amb. Tomova seemed eager to engage States Parties and to play a constructive role in the Council's decision-making process, and had obviously done a good deal of outreach to facilitate a smooth start to her tenure as Chair.

¶4. (S) Delrep also discussed the 2007 VIR with Amb. Tomova, specifically the U.S. request that the Chair engage Kazakhstan to encourage clarification of a longstanding issue related to a former production facility. Amb. Tomova indicated she would be willing to do so, particularly to complement the efforts of the Secretariat, and asked for U.S. suggestions as to how this might best be accomplished.

¶5. (SBU) Amb. Tomova noted that in her initial outreach efforts, she'd heard from several delegations (naming only South Africa) that they had serious concerns about destruction deadlines and the possibility that the U.S. would be unable to meet its 2012 deadline for completion of CW destruction. Obviously wanting to avoid having this topic dominate discussions during her time as Chair, she proposed beginning very informal discussions on the subject

this year with a select group of Ambassadors. Amb. Javits offered that it was somewhat premature to start such discussions, and reiterated the importance of making an informed assessment and decision closer to the actual date.

ARTICLE X CONSULTATIONS

¶6. (U) On June 20, Jitka Brodska (Czech Republic) convened her last Article X meeting before stepping down as facilitator. The agenda included an update by the Secretariat on continued efforts in Assistance and Protection, as well as a report of the Assistance and Protection Workshop held in Prague in April 2008; an overview from the UK of the training support they provided for TS "ACAT" (Assistance, Coordination and Assessment Team) team members; and a brief review, led by the facilitator, of 2nd Review Conference implications for continued work in Article X.

¶7. (U) Very little new information was presented, and the meeting was marked by the outgoing facilitator's deft handling of the Iranian delegates, who were unable to dominate the meeting with discussions of their CW victims' network proposal and in fact missed several opportunities to discuss that subject. As the readout of the Prague workshop included a mention of assessing States Parties' reasons for not submitting information on national protective programs, Delrep inquired as to TS efforts in this area, as well as any specific reasons that had been provided during the workshop. The TS did not respond to the second question, but noted that they continue to use all capacity-building and training opportunities to remind member states of their obligation in this area. One suggestion from the workshop was to take full advantage of the annual National Authorities meeting to assist States Parties in fulfilling this requirement. The Secretariat also recommended sending declarations on national protective programs separately from annual declarations so that they are immediately sent to the appropriate branch.

¶8. (U) The meeting was also marked by an unfortunate tendency of TS Assistance and Protection Branch head Gennadi Lutay to raise political issues unnecessarily in response to delegate questions. In response to an Iranian question on gaps in regional capabilities, Lutay went beyond simply reminding Iran that the TS is currently working to assess regional capabilities, and noted that "regional centers like the Africa Office might not be possible." As Iran continued to press, Lutay raised the idea of an "Article X Action Plan," noting that this sort of initiative would be in the hands of the member states. The facilitator also led delegates through a review of the paragraphs of the report of the 2nd Review Conference related to Article X, then offered the floor to the Secretariat for its assessment of the possible implications of the report for future work. Lutay did not provide even an initial assessment, but noted that the Secretariat was still considering this.

¶9. (U) Looking ahead, the TS indicated that the next large-scale exercise, similar to Joint Assistex 2005 in Ukraine, is being planned for late 2009 or early 2010. Russian delegate Victor Smirnovskiy will succeed Ms. Brodska as facilitator and is likely to schedule his first consultation in the autumn.

ARTICLE XI CONSULTATIONS

¶10. (U) Also on June 20, the facilitator for Article XI, Li Hong (China), convened consultations to complete the earlier March discussion of the annual report and to plan ahead for the "concrete measures" to implement Article XI more fully. Amb. Javits, with support from South Africa, France, Netherlands, Algeria and Germany, suggested that the TS report, while providing a comprehensive review of annual activities, does not indicate the corresponding costs, which would be helpful to future planning. WEOG members added that evaluation of the activities would also be useful, which sparked discussion of how and by whom such evaluation should be done. Zeljko Jerkic, newly transferred from ERD to International Cooperation to help coordinate ICA programs, assured the group that the TS could provide additional information in future reports and was working on improving evaluation of its activities.

¶11. (U) The Cuban delegate presented a proposal for a workshop to develop ideas for additional programs, emphasizing that it be carefully designed and engage various stakeholders, including industry (a copy of the proposal was faxed to ISN/CB). There was broad initial support for the idea, which will be further discussed at the next consultation. Iran noted that this was a new document that needed study but warned that a workshop cannot recommend action to States Parties. Cuba responded that the workshop is meant to complement the facilitation and provide ideas to the SPs. Facilitator Li Hong closed by saying that he looked forward to additional proposals for discussion.

VISIT OF DAS STALEY

¶12. (SBU) ISN DAS Kenneth Staley visited The Hague for two days during the Executive Council. Amb. Javits hosted a luncheon in his honor June 26, with guests including the Deputy Director-General, the EC Chairperson and a diverse group of active Ambassadors (UK, Saudi Arabia, Mexico, Costa Rica, Brazil, Sudan, Germany). DAS Staley later attended ongoing sessions

of the Executive Council that afternoon and on Friday.

¶13. (SBU) On June 27, DAS Staley and Amb. Javits met with the DG, who expressed his appreciation for U.S. support and complimented the U.S. delegation. They discussed issues arising from the Review Conference, and briefly touched on personnel, tenure and hiring issues, and the impact of late payment of annual assessments. Following the meeting with the DG, OPCW's Protocol Head provided a guided tour of the facilities, and DAS Staley called on Administration Director Ron Nelson and Verification Director Horst Reeps.

¶14. (SBU) DAS Staley and Director Nelson discussed a range of management and staffing issues, focusing on tenure policy and Nelson's successor. Nelson noted that the Verification Division is most adversely affected by staff losses due to the tenure policy. With CW destruction on course to peak around 2010, Nelson suggested a suspension of the tenure policy for the Verification Division until at least 2010. Despite the DG's having requested Nelson to remain in his post as Administration Director until the end of the DG's term, Nelson indicated his readiness to give up his post sooner, if a qualified candidate can be found. Nelson stressed the need for his successor to have significant multilateral management and political experience, ideally having worked in another international organization or UN agency.

¶15. (SBU) During his meeting with Director Reeps, DAS Staley raised the tenure issue. Reeps agreed that

without an exemption for the Verification Division, the OPCW would not have the necessary specialized expertise to oversee CW destruction. In a later encounter with the DG, DAS Staley and Amb. Javits raised the tenure issue with him. The DG warned against any changes in the tenure policy, at least until 2010, citing the difficulty of letting anyone go from an exempt category and the flexibility the policy currently provides management to keep the best. He also stated that the TS is working on better methods to retain institutional knowledge with the turnover of staff.

DRAFT 2009 PROGRAM OF WORK AND BUDGET

¶16. (U) The DG introduced the draft program of work and budget for 2009 (EC-53/CRP.2) with a succinct briefing drawing on the introduction (page 6) and giving an overview of some key points. Of note, he has proposed 10 additional OCPF inspections, for a total of 210 Article VI inspections. While fixed-term staff will remain at 523 positions, a number of positions have transferred between divisions as a result of internal staffing reviews. The DG also noted that two additional temporary staff posts are proposed for 2009.

¶17. (U) The balance between Chapter I and Chapter II programs will remain about the same as in previous years (50.23% and 49.77%, respectively). However, the DG has proposed a 6% increase in funding for the International Cooperation and Assistance (ICA), the largest increase in any division. Other divisions granted increases include the Inspectorate (3.8% increase), Administration (2.3% increase), and Executive Management (1.1% increase). These increases are offset by decreases in Support for Policy-Making Organs (13.2% decrease), Verification (13% decrease), and External Relations (7% decrease).

¶18. (U) As the TS had promised, the draft budget

document is more user-friendly than previous versions, including colored graphs and tables and consolidated information. The DG noted that the improved format, as well as the introduction of measurable key performance indicators, are part of the ongoing evolutionary process of implementing results-based budgeting (RBB).

DESTRUCTION INFORMALS

¶19. (SBU) The Secretariat provided its standard updates on Verification, Declarations, and Chemical Demilitarization, presented by the respective heads of each division/branch. (Hard copies of presentations have been forwarded to Washington.)

¶20. (C) Of the State Party updates, the most noteworthy was Libya's, which was more detailed and more focused on actual progress of conversion than any of its more vague or commercially-focused presentations from the past year. Although Libya did not provide an updated national paper, this improved focus and level of detail seemed to be directly in response to U.S. and UK efforts to improve the transparency of Libyan reporting. The updated presentation covered the conversion timeline for the two Rabta Production Facilities and related infrastructure: 30% was completed by April 2008, 70% is projected to be completed by October 2008, 90% by March 2009, 93% by May 2009, and 100% by September ¶2009. By December 2009, the facility will be validated for operation as a pharmaceutical plant per Libyan pharmaceutical regulations GMP. In response

to an inquiry by Germany as to whether the CSP had to take a decision to extend Libya's conversion deadline from July 2008 to December 2009, the DG noted a different precedent had been set by the Russian Novocheboksarsk conversion process. Libya stated that its national paper from EC 50 should suffice as providing the reasons it cannot meet the July 2008 deadline and proposing a new date for completion.

¶21. (SBU) The Verification Plan and Facility Agreement for the Rabta Destruction Facility are being drafted and should be completed following the initial TS visit to the site at the end of August ¶2008. Libya plans to begin reloading the stored mustard from canisters to transportable tanks on January 15, 2009.

¶22. (C) Russia reported on progress in its operational facilities, as well as those expected to come on line in the next several years: Leonidovka in September 2008, Shchuch'ye in December 2008, Pochep in 2009 and Kizner in 2010. Russia reported destruction of 28.2% of its Category 1 stockpiles, with destruction ongoing at Kambarka and Maradykovksy. Destruction at Kambarka is expected to be completed by the first quarter of 2009. The Russian delegation also provided a more detailed report than normal on the conversion of the former production facility at Novocheboksarsk. Lingering VX contamination has complicated conversion efforts, but internal partitions and equipment within the VX-contaminated areas should be destroyed by the end of ¶2008. Following this step, Russia must determine how to destroy the buildings themselves. Russia also noted that destruction of the former production facility at Dzerzhinsk is close to completion, and that the TS expects to issue a destruction certificate shortly.

¶23. (S) India has destroyed 97% of category 1 and all of Category 2 and 3 stockpiles. Half of the remaining 3% of Category 1 consists of unspecified munitions

and the other half is heel in bulk containers. The Indian delegate indicated that any heel that could not be flushed out with chloroethanol would be destroyed by thermal treatment. India expects to complete destruction by the April 2009 deadline.

¶24. (S) The Republic of Korea reported that 99.3% of its stockpile has been destroyed. It expects destruction to be complete by 10 July 2008.

¶25. (U) China reported discovering more "Japanese Abandoned Chemical Weapons" in early 2008 and expressed its concern about Japan's delay in beginning destruction. It urged Japan to exert greater effort and asked the TS to play a more constructive role. Japan followed, reporting that Nanxing would be the first site for the Mobile Destruction Facility (MDF). Japan has invited bids for the construction of the MDFs, with expected operation to begin in 2010. Japan has been overpacking recovered munitions. In fall 2008, Japan will excavate 1000 munitions in Haerberling to determine the physical condition of the varied munitions in that area. Japan noted that the meeting in May 2008 with China and the TS was constructive.

¶26. (U) The United States made a short presentation, indicating that as of 31 May, it had destroyed 14,916 MT. U.S. rep also indicated that there are currently five operational facilities, with no issues to report since the last EC, and that the operations at Newport, Indiana, should be completed by August 2008. Setting the stage for interventions during the Council session itself, Iran requested information about when the two projected U.S. facilities (i.e. Pueblo and Bluegrass) would become operational, and

inquired as to why it wasn't part of the U.S. presentation. U.S. Rep replied that it was still too early to project operational dates. South Africa also requested clarification as to the number of destruction facilities currently operational in the U.S., having heard five, seven and nine in the U.S., Chem Demil Branch, and Verification presentations respectively. U.S. Rep clarified the different definitions of "facilities" that led to this apparent discrepancy.

EXECUTIVE COUNCIL 53 OPENING, DIRECTOR-GENERAL'S
STATEMENT AND GENERAL DEBATE

¶27. (U) The Executive Council opened on June 24 with the traditional reports by the new EC Chairperson and Vice Chairmen providing updates on consultations and meetings in their clusters of issues since the Review Conference. Of note was the Iranian delegate's presentation (the Ambassador was absent the entire week of the Council) that he had "nothing" to report on Article VII and Universality except that both would have new facilitators. The Coordinator for the Open-Ended Working Group on Terrorism, Annie Mari (France), reported that the next meeting on July 10 would include presentations by the EU's counter-terrorism coordinator's office and by Spanish and French officials. She noted that the Review Conference had highlighted the OEWG as a useful platform for further discussion.

¶28. (U) During discussion of the present EC's agenda, Amb. Javits expressed concern with the number of documents received late from the TS in accordance with reftel guidance. The DG responded that all "statutory" papers had been produced on time, but that some documents depended on the actions of member states or other bodies (ABAF) that the TS could not control.

¶29. (U) The DG's statement noted that the Review Conference had set new standards for disarmament and non-proliferation, and he highlighted efforts to ensure greater inclusiveness and transparency. He distinguished different categories of action, some that the TS can take on its own, some that require additional work with States Parties, and some that are already underway. He cited letters he is sending to the eleven remaining Non-States Parties urging accession to the treaty. He also emphasized that the OPCW is "going 'e' in everything" with improved electronic systems.

¶30. (U) Much of the General Debate reviewed the results of the Review Conference in a positive light. Cuba's statement on behalf of the NAM and China, however, seemed a bit retrograde in its citing concern about destruction, calling for removal of trade restrictions, and emphasizing the "hierarchy of risk." China's national statement took a different tone, with support for working to advance non-proliferation and improving OCPF declarations. The EU statement called for a coordinated work program following the RevCon to be drawn up by the EC Chairperson with the DG. The EU pointed to the need for timely conclusion of OCPF site selection methodology, and touted the OPCW as a platform for discussion among NGOs, industry and other stakeholders. The Russian statement explicitly connected implementation of Article XI to that of Article VII, a point much noted afterwards.

¶31. (U) Mexico's statement received the most attention and discussion during the EC for its provocative points on consensus. While noting the "undeniable" value of consensus, Mexican Ambassador

Lomanoco warned that it should not be used as a veto to the will of the vast majority. The statement went on to suggest voting as a potential decision-making tool. In private conversations with Delreps, the Mexican Ambassador and delegate said that they had intended to provoke thought, and were pleased that they had succeeded.

DETAILED PLANS FOR CWDF VERIFICATION AND FACILITY
AGREEMENTS

¶32. (U) EC-53 was unusually productive in terms of approval of facility agreements and related verification plans. Having been deferred by Iran for several sessions, the Swedish and Canadian agreements for Schedule 1 facilities were finally approved. More significant were the approvals of a number of U.S. and Russian destruction documents, as detailed below. After seeking technical clarifications on the updated Indian facility agreement and verification plan, these too were agreed.

U.S. AND RUSSIAN DOCUMENT APPROVAL

¶33. (U) After, in some cases, over a year of deferral from one EC agenda to the next, the Council approved the facility agreements and verification plans for the destruction facilities at Newport, Pine Bluff (Binary), Mardyskovsky and Leonidovka. Despite the Pine Bluff Binary facility having completed operations in late 2007, there was clear relief on the part of many delegations that the continued U.S./Russian mutual deferral of documents had been overcome. All along, few delegations have understood the technical and political issues at stake, and were simply happy to close the book on these agenda items.

¶34. (C) Prospects for approval looked poor even into the week of the EC itself. However, it became clear when the delegation from Moscow arrived that the reason for continued delays in issuing the appropriate updates to the Maradykovsky documents was more a drafting issue than one of substance. Following a brief meeting with OPCW Legal Adviser Onate, Russia agreed to the changes and the amendments were distributed. The basic nature of the changes was to add a second possibility (thermal processing and deformation) for the treatment of munitions to the already existing procedure of welding.

¶35. (C) For its part, Russia had a number of last minute questions on the Newport documents, an advance copy of which had been provided to the Russian delegation to avoid exactly that possibility. It quickly became apparent, however, that Russia's real concern was that the U.S. procedure for destroying leaking ton containers at the Blue Grass Storage Facility not be considered a precedent. Russia's own handling of "munitions in hazardous condition" has been a source of disagreement with the Secretariat for years, as destruction of these munitions is handled as "routine maintenance." The U.S. policy of declaring all such cases as part of an existing destruction facility is somewhat different, and not a procedure Russia would care to adopt. The addition of "no precedent" language in the decision covering the facility agreement, similar to that in decisions for other two-stage destruction processes, was sufficient to allay Russian concerns.

¶36. (C) The U.S. delegation requested that the unclassified U.S. documents be considered during the classified session. After having been briefed on the

reciprocal nature of the U.S.-Russian document approval, Chairperson Tomova grouped all of the U.S. and Russian documents together and gaveled them through rapidly as a package on June 25 during the classified session, an unprecedented but successful move. Many in the Council, including the Iranians, did not follow exactly what was happening and failed to react before the "package" (never named as such) was approved.

¶37. (C) No sooner had the session ended than the heads of the Chemical Demilitarization and Policy Review branches informed Delrep that the Secretariat had just realized the version of the Newport facility agreement approved by the Council was not only incorrect, but actually misrepresented the U.S. position on the end point of destruction. Initial Secretariat and U.S. instinct was to wait until after the close of the session to re-issue the correct version, as the errors had occurred in attachments to the agreement, changes to which do not require EC approval.

¶38. (C) At the urging of the DG, however, the Del informed the Russian delegation of the error, which resulted in the drafting and clearance of a corrected version of the document in time for the last day of the session. Interestingly, from the meeting early on Friday during which Delrep walked the Russian delegation through the changes, it seemed obvious that the Russians were not as familiar with the documents they had approved as the Del had expected. Delreps emphasized the fact that re-opening one document would mean re-opening the entire package in the Council, and after the expected posturing, Russia agreed to allow the Secretariat to reissue the document "for technical reasons," provided the matter was handled during EC-53.

¶39. (C) Having worked late into the night with the U.S. to prepare an updated version for distribution, the Secretariat published the document Friday afternoon and Legal Advisor Onate gracefully noted to the Council, in conjunction with adoption of the relevant paragraph of the report, that the document had been circulated with several errors and had been reissued and distributed for technical reasons. Had the previous Iranian delegate still been present, this could have led to a long and painful series of questions and delayed adoption of the report until late Friday evening. Fortunately for the Council, this was not the case, and the report was adopted without comment.

INDIA BILATERAL MEETING

¶40. (S) Delreps met with Indian Rep Mr. Kapoor from Delhi to seek answers to U.S. questions about India's updated facility agreement and verification plan before the classified Council session that approved the documents. Mr. Kapoor provided a detailed explanation of the destruction of sulfur mustard at India's Borkhedi destruction facility. The agent is stored in bulk (4,000 to 5,000 liter tanks) and in 155 mm artillery shells. For the bulk storage, the liquid agent is removed and stored in a vessel. It is subsequently diluted with chloroethanol and incinerated at 500 degrees C. In about fifty percent of the tanks, a "heel" of polymerized agent remains. The heel is treated by adding chloroethanol and agitating with compressed air for anywhere from several minutes to several hours. This is apparently effective in about fifty percent of the tanks; the dissolved heel is then transferred for incineration. Tanks that have been successfully emptied are returned to the CW storage facility until they can be

thermally treated. In cases where the heel cannot be dissolved, the entire tank is treated directly in the furnace by slowly ramping the temperature up to 800 degrees C.

¶41. (S) The munitions are opened by drilling through the burster well connection to the shell casing and thermally treated in the furnace at 500 degrees C without decanting the mustard. Mr. Kapoor indicated that India had experienced problems in opening and draining the munitions, and asked how the U.S. accomplished this. Delrep explained the general procedure used at U.S. facilities for opening and treating similar caliber munitions.

CONVERSION OF CHEMICAL WEAPONS PRODUCTION FACILITIES

¶42. (U) As referenced above, both Russia and Libya gave a detailed explanation of the status of their conversion efforts during the destruction informals, and the corresponding Secretariat Notes were noted without debate. The Council also considered the UK's Portreath facility, its first case of a converted facility having passed the ten year mark, after which the Council is to decide upon continued verification measures. Concerned at possible implications in terms of precedent for converted Russian facilities, Russia deferred consideration of the matter to EC-54.

PROGRESS REPORTS IN MEETING REVISED DEADLINES

¶43. (U) As has become its tradition, the Iranian delegation intervened on the U.S. 90-day destruction update, this time to voice its concern that the U.S.

has repeatedly failed to provide information on the projected dates of operation for its facilities at Pueblo and Blue Grass. U.S. Delrep noted that the progress report covered events of the preceding 90 days, as opposed to speculating about future progress, a point that received support from a number of other delegations who spoke from the floor. Eventually, after demanding better information in future sessions and referring to the now common "chapeau language" on destruction obligations in the report, Iran agreed to note the U.S. report.

¶44. (SBU) Del comment: Although Iran had no support at this EC for its demands that the U.S. present additional information, it is quite possible that others in the NAM will join the chorus in the near future, and question the U.S. inability to provide even projected years of operation for these two facilities. Iran in particular has yet to miss an opportunity to point to impending U.S. non-compliance, and del expects the Council will return to this issue at each session for the foreseeable future. End comment.

TRANSFER DISCREPANCIES

¶45. (U) The facilitator for transfer discrepancies, Kiwako Tanaka (Japan) held four meetings during the EC, in addition to the session of the week before. Her goal was to tackle the remaining Iranian concerns and proposals in order to get the draft decision to the EC during its session.

¶46. (U) The Iranian proposals centered on: clear indication that the guidelines are voluntary and not legally binding; reference to the Verification Annex language on the transfer ban on Schedule 2 chemicals to States not Party, as well as a reference to the EC

decision on Schedule transfers to States not Party; and the absence of any clear reference to Article VII. In the end, one reference to "voluntary" was included in the preamble to the decision; all reference to restrictions or decisions on transfers of Schedule 2 and 3 chemicals was removed; and a general reference to the implementation of this decision in accordance with the Convention was included.

¶47. (SBU) The end-game negotiations against the Iranian proposals pivoted on India's insistence that implementation of an EC decision cannot be voluntary, even if the guidelines themselves are; South Africa's insistence that implementation in accordance with the Convention was vital in order to allow National Authorities to make the necessary adjustments to their practices; and Brazil's careful explanation of why a single well-placed reference to the voluntary nature of the guidelines was sufficient. The removal of the reference to transfer bans and decisions was part of a trade to remove another preambular paragraph that Western delegations felt was not at all important to the outcome of the decision.

¶48. (SBU) One other event in the negotiations Thursday night (June 26) may be of interest in light of ongoing dealings with the Iranian delegation, as reconfigured this summer. At the end of the consultation, the Iranian delegate (Ali Reza Hajizadeh) took the microphone to publicly apologize to the facilitator for a remark he made during a consultation several weeks earlier. He felt he had offended her and wanted to set the record straight in a public forum. It is unclear what motivated this unusual move by the Iranian delegation, but this public softening of their image may be important in

the future.

¶49. (U) The agreed-to decision (EC-53/DEC/CRP.4, Rev.1, dated 27 June 2008) was gavelled through on the final day of the EC meeting. Several delegations voiced their thanks to Ms. Tanaka, including Iran.

OTHER ITEMS UNDER STATUS OF IMPLEMENTATION

¶50. (U) Article X. The Council noted the DG's report on the status of implementation of Article X without discussion, which was somewhat surprising in light of Iran's desire to use every possible stage to forward its agenda on establishing a CW victims' network.

¶51. (U) Article XI. Li Hong of China, the facilitator for Article XI, reported on the consultations held since the last EC. The Council noted the status report with no discussion.

¶52. (U) 2007 VIR. The 2007 Verification Implementation Report, the comments on the 2007 VIR, and the Chair's summary of consultations were all unexpectedly noted without objection, with Iran asking only a clarifying question about how comments on the VIR yet to be received would be treated. The TS explained that comments received would be circulated to the delegations and that if the Council so chose, it could include the comments as an item in the provisional agenda for the next session.

¶53. (U) Timely submission of declarations. This status report (EC-53/DG.8, dated 5 June 2008) by the DG noted progress made since the EC-51 decision (EC-51/DEC.1, dated 27 November 2007). Although several WEOG delegations had privately expressed disappointment in the progress made since the decision, the Council noted the report without discussion.

¶54. (U) Enhancement of OCPF declarations. Knowing that many delegations were disappointed about the late availability of these documents (EC-53/S/5, dated 17 June 2008 and EC-53/DG.11, dated 17 June 2008), the DG made a lengthy introduction to the issue. He stated that it was not his expectation that the EC would take up discussion at this meeting; but that the matter would be considered for future discussion, and the EC followed by deferring the matter. Of note, the Netherlands delegation has announced informally that Diana Gossens had volunteered to facilitate consultations on the paper that the DG believes must receive EC approval before it can be implemented (EC-53/S/5).

DRAFT REPORT OF THE OPCW FOR 2007

¶55. (SBU) Iran voiced concern over references to UNSCR 1540 in the OPCW report for 2007 (EC-53/CRP.1 and Corr.1). After a long intervention citing the Review Conference report and objecting to references to UNSCR 1540, the Iranian delegation concluded by insisting that the final sentence of paragraph 4.9 be changed. While the DG and several other delegations responded that the report was only factual and should not be open for changes, the DG eventually agreed to issue a corrigendum to assuage Iran's concerns while preserving the report's factual accuracy.

¶56. (C) However, a number of delegations felt that the corrigendum (Corr.2) went too far, and they spoke out against any attempts to censor the DG and the TS. The UK insisted privately to the TS that the DG issue

a new corrigendum. (Note: Del learned that the DG showed more flexibility on amending the report as it is a report of the entire organization and not in his name). The DG's final corrigendum (Corr.3) was able to reach consensus, and the Council forwarded the report to the CSP.

OPCW CENTRAL ANALYTICAL DATABASE

¶57. (U) Even though problems were expected from India and Iran on this issue, both lists of new validated data (EC-52/DEC/CRP.3, dated 30 January 2008; EC-53/DEC/CRP.2, dated 16 May 2008) were approved without comment.

ADMINISTRATIVE, FINANCIAL AND RELATED MATTERS

¶58. (U) OIO and External Auditor reports. The facilitator, Takayuki Kitagawa (Japan), held a three-hour consultation during the EC session to discuss outstanding issues on a number of OIO and External Auditor reports. Delegations agreed to note the reports on implementation in 2007 of the External Auditor's recommendations (EC-52/S/2, which had been deferred from the previous EC) and the OIO's recommendations (EC-53/DG.2). However, South Africa, Iran, and India all raised a number of questions and concerns about the 2007 OIO Report (EC-53/DG.3), requesting that the report be deferred to the next EC for consideration so that consultations can continue. All three indicated their intent to link findings in the 2007 OIO Report to consideration of the 2009 Program of Work and Budget. Due to late release of the 2007 External Auditor's Report (EC-53/DG.10), Kitagawa requested that it be deferred to the next EC to give time for him to consult on it.

¶59. () Implementation of the tenure policy. Echoing statements made previously, South Africa requested the DG to provide detailed TS staffing information (including geographical distribution data) in future reports. The DG agreed to this request, and South Africa proposed report language to this effect, which the Council approved.

¶60. (U) ABAF. There was little discussion about the ABAF report (ABAF-24/1) and the accompanying DG's response (EC-53/DG.13), aside from South Africa requesting deferral of both documents to the next EC due to their late distribution.

SCIENTIFIC ADVISORY BOARD

¶61. (U) Iran requested deferral of the SAB report and the Director-General's response to EC-54. Amb. Javits objected and said there should be efforts to note these documents at this EC. Iran objected. This prompted the United States and Mexico to ask for specific reasons for the deferral. Iran indicated that the "substantive" report required study by experts in Tehran in relation to decisions taken at the Review Conference and a review by a panel of experts as specified by the Review Conference report (paragraph 9.133). Strong reactions from the United States, the Netherlands, Germany, France and Austria stated that this SAB report was published in February and had been presented to the EC before the Review Conference, and that the Review Conference had explicitly noted that the consideration by a panel of experts would be only for the report forwarded to the RevCon, not a mandate to convene a panel of experts

for all SAB reports. The Director-General confirmed that this was his understanding as well. Despite a Chairperson proposal to defer the issue until Friday, Iran still insisted on deferring the report to the next Council session.

CSP AGENDA

¶62. (SBU) At the EC Preparation meeting two weeks before, Iran had emphasized its desire for a separate agenda item for Article X in the Conference of States Parties. However, the Iranian delegation was silent at the EC session and the traditional agenda passed without discussion or change. The Costa Rican Ambassador, a member of the EC Bureau, told Delrep that the Bureau had had a lengthy (45 minutes) discussion of the Article X matter and had talked the Iranian representative out of pursuing it in the Council.

2009 EXECUTIVE COUNCIL SESSION DATES

¶63. (SBU) Following reftel guidance, Del requested that the final EC session for 2009 be moved from early to late October. The Netherlands suggested changing the proposed dates to allow for two spring and two fall sessions; South Africa proposed holding three sessions, two in the spring and one in the fall. Director for Policy-Making Organs Alexander Khodakov provided a lengthy justification for the proposed dates, indicating that the last EC should not be later than mid-October to allow for document preparation and distribution in advance of the CSP in early December. Chairperson Tomova pointedly reminded all delegations that the proposed dates already had been discussed in the Bureau and circulated well in advance to all regional groups for comment.

¶64. (SBU) Discussion in WEOG indicated general support for the U.S. position. However, there was a divergence of views on the number of sessions to hold, with Australia speaking in favor of holding only three sessions, and Switzerland and Austria noting that the number of sessions should correspond to the amount of substantive work before the Council.

¶65. (U) When the item was brought up for reconsideration, the EC agreed to keep the proposed dates for February, April, and June 2009. It also decided to hold the final EC one week later than proposed, postponing it to October 13-16. Amb. Maarten Lak of the Netherlands made an intervention from the floor stating that, whatever the dates, the work flow for the Council should be appropriately planned with preparation of documents in a timely fashion.

LIBYA CONVERSION AND CW DESTRUCTION

¶66. (SBU) Following their detailed presentation in the destruction informals, the Libyan delegation proved rather difficult to pin down. Despite repeated assurances that he would provide a hard or electronic copy of the presentations, as well as a copy of the most recent final inspection report from Rabta, Dr. Hesnawy did not deliver this material. Del did, however, discuss the developing plans for a U.S. delegation to visit Rabta and gave two possible time frames for U.S. expert availability. Delrep also expressed hope that a written invitation would also be forthcoming.

¶67. (C) Delreps also met informally with the UK delegation to ascertain London's intent for the upcoming visit of a UK delegation to Libya's former production facility at Rabta. MOD Rep Clive Rowland initially indicated the UK might attempt to discuss the issue of the dual use equipment, but later came back to say that London had decided not to do this, and would instead keep to the CWC agenda (conversion of the former production facility at Rabta and the destruction of Libya's CW stockpile).

TS MONITORING VISITS

¶68. (U) Delreps met with Policy Review Branch Head Per Runn and Inspectorate Management Branch Head Renato Carvalho to discuss the Secretariat plan to begin conducting "monitoring" (quality review) visits in conjunction with scheduled inspections. The presence of an evaluator, who is likely to be a Verification or Inspectorate branch head, will be noted on inspection mandates and notifications. The purpose of the evaluation will be to assess the inspection team's use of time, staff, procedures and equipment from the preparatory phase through the completion of the final report. As this is a mechanism for internal analysis, the TS does not plan to make their evaluation reports available to States Parties (in part to avoid inadvertently granting access to inspection files), although the Secretariat may produce an overall report to inform States Parties of lessons learned that might lead to an improvement in procedures.

TS PRESENTATION ON THE PROGRAM FOR AFRICA

¶69. (U) On June 26, ICA Director Kalimi Mworio hosted a briefing on the Program for Africa for African PermReps and interested donor countries. A number of

African delegations not present in The Hague attended the briefing. Mworio made a presentation on the program's key aspects and provided a list of planned ICA activities for 2008 that are part of the program. She noted that four additional slots in the Associate Program have been reserved for African participants. Mworio also noted that India will be offering industrial placements as part of this summer's Associate Program, and she encouraged other developing countries with chemical industry to consider following suit. Amb. Lak (Netherlands) also made a few remarks on Dutch support for the Program for Africa and announced a donor coordination meeting on July 15 to further discuss the Program.

ATMOSPHERICS / POLITICAL TRENDS

¶70. (C) Del Comment. This session was both efficient and much more productive than the EC sessions over the past year, a fact much commented on by delegations. The mood was upbeat and discussion much more balanced than that of the recent Review Conference. Delegations seemed ready to get down to work. The two months since the Review Conference allowed delegations time for reflection, but the bonding experience of intense days and sleepless nights at the RevCon has also contributed to a fresh spirit of collaboration.

¶71. (C) Ambassador Tomova took charge of the EC with grace, gaining in confidence and pounding the gavel faster and more forcefully as the week progressed.

She had clearly done her homework, meeting with key delegations and Ambassadors for weeks beforehand, and she knew the issues and potential landmines. She continued to meet at the edges of the formal sessions with critical players and hosted a well-timed reception mid-week with a strategic guest list to move the EC's business forward.

¶72. (C) The NAM, apart from the joint statement in the General Debate, was largely silent as was its Cuban leadership. They seem to have taken a more pragmatic approach with the introduction of the workshop proposal for Article XI in consultations, rather than strident interventions in the Council.

¶73. (C) Iran, lacking both its Ambassador (recalled to Tehran and reportedly about to move to Geneva to the CTBTO) and its long-time leading delegate Shahrokh Shakerian (who appeared only briefly on Tuesday to say goodbye), was nervous and remained quiet on most issues. They were often in discussion amongst themselves and missed key actions, gaveled through before they realized what was happening. We do not believe this confusion will last long, however. Shahrokh's replacement is a U.S.-educated former instructor at Tehran's diplomatic training school who told Amb. Javits he had taught all of the current delegation, including Amb. Ziari. End Comment.

¶74. (U) Javits sends.
Gallagher